

### Listing of the Claims

The following listing of claims will replace all prior versions, and listings, of claims in the application. Please cancel claim 9, amend claims 1, 10 and 14 and add claim 59 as follows.

1. (Currently Amended) An elastic film comprising:  
a microporous film layer consisting essentially of a thermoplastic polyurethane elastomer and a filler, said thermoplastic polyurethane elastomer comprising hard segments and soft segments, said film layer having an original length, [and] a stretched length, and a final unbiased length, and wherein, after being stretched from its original length to the stretched length, the film is relaxed to the final unbiased length, the final unbiased length being [said film layer having been stretched and having a permanent elongation of] at least two times its original length and wherein during stretching [thereby forming] micropores form adjacent filler particles;  
said thermoplastic polyurethane elastomer undergoing phase separation between said soft segments and said hard segments after said film layer has been relaxed to the final unbiased length [stretched], said film layer having a WTVR of at least  $1000\text{g/m}^2$  - 24 hours.
2. (Original) An elastic film as described in claim 1, wherein said microporous film layer is elastic such that, upon application of a force is stretchable to a biased length of at least 133% of its relaxed length and will recover at least 50% of its elongation upon release of said force.
3. (Original) An elastic film as defined in claim 1, wherein said thermoplastic polyurethane elastomer comprises an ether-based polyurethane.
4. (Original) An elastic film as defined in claim 1, wherein said thermoplastic polyurethane elastomer comprises an ester-based polyurethane.
5. (Original) An elastic film as defined in claim 1, wherein said film layer contains said filler in an amount of at least 20% by volume.
6. (Original) An elastic film as defined in claim 1, wherein said film layer contains said filler in an amount of at least 30% by volume.
7. (Original) An elastic film as defined in claim 1, wherein said film layer has a WTVR of at least  $2000\text{g/m}^2$  - 24 hours.

8. (Original) An elastic film as defined in claim 1, wherein said filler comprises calcium carbonate, barium sulfate, or mixtures thereof.
9. Canceled.
10. (Currently Amended) An elastic film as defined in claim [9] 1, wherein said stretched length is from about four times to about seven times the original length and said final unbiased length is from about three times to about five times the original length.
11. (Original) An elastic film as defined in claim 1, wherein said film layer has a basis weight of less than about 100 gsm.
12. (Original) An elastic film as defined in claim 1, wherein the thermoplastic polyurethane elastomer undergoes phase separation for at least 1 hour after having been stretched.
13. (Original) An elastic film as defined in claim 1, wherein the thermoplastic polyurethane elastomer undergoes phase separation for at least 24 hours after having been stretched.
14. (Currently Amended) An elastic film comprising:  
an elastic polymer film material and a filler, the elastic polymer film material [an elastomer layer] consisting [essentially] of a thermoplastic polyurethane elastomer, [the elastomer layer containing a filler,] said filler being present in an amount of at least 20% by volume, said film being stretched an amount sufficient to form micropores within said elastic film [layer], said thermoplastic polyurethane elastomer comprising an ether-based polyurethane or an ester-based polyurethane.
15. (Original) An elastic film as defined in claim 14, wherein said thermoplastic polyurethane elastomer contains hard segments and soft segments and wherein phase separation between said soft segments and said hard segments has occurred after said film has been stretched.
16. (Original) An elastic film as defined in claim 15, wherein said film has been stretched at least four times its original length.
17. (Original) An elastic film as defined in claim 15, wherein said film has been stretched from about four times to about seven times its original length to a stretched length and then relaxed to a final unbiased length prior to a substantial

amount of said phase separation occurring, said final unbiased length being at least two times said original length.

18. (Original) An elastic film as defined in claim 14, wherein said film has a WTVR of at least  $2000\text{g/m}^2$  - 24 hours.

19. (Original) An elastic film as defined in claim 14, wherein said film is elastic such that, upon application of a force, is stretchable to a biased length of at least 133% of its relaxed length and will recover at least 50% of its elongation upon release of said force.

41. (Previously Presented) An elastic film as defined in claim 1, wherein the elastic film is contained in a laminate, the laminate including a support layer bonded to the elastic film.

42. (Previously Presented) An elastic film as defined in claim 41, wherein the laminate comprises a stretch-bonded laminate.

43. (Previously Presented) An elastic film as defined in claim 41, wherein the laminate comprises a neck-bonded laminate.

44. (Previously Presented) An elastic film as defined in claim 14, wherein the elastic film is contained in a laminate, the laminate including a support layer bonded to the elastic film.

45. (Previously Presented) An elastic film as defined in claim 44, wherein the laminate comprises a stretch-bonded laminate.

46. (Previously Presented) An elastic film as defined in claim 44, wherein the laminate comprises a neck-bonded laminate.

47. (Previously Presented) An elastic film comprising:  
a microporous film layer comprising a thermoplastic polyurethane elastomer and a filler, the thermoplastic polyurethane elastomer comprising hard segments and soft segments, the film layer having an original length, a stretched length, and a final unbiased length, wherein after being stretched from its original length to the stretched length, the film layer is relaxed to the final unbiased length, the

stretched length being from about 4 times to about 7 times the original length, the final unbiased length being from about 2 times to about 5 times the original length; and

wherein the thermoplastic polyurethane elastomer has undergone phase separation after being relaxed to the final unbiased length, the phase separation occurring between the soft segments and the hard segments, the film layer having a WTVR of at least 1000 g/m<sup>2</sup> - 24 hours.

48. (Previously Presented) An elastic film as described in claim 47, wherein said microporous film layer is elastic such that, upon application of a force is stretchable to a biased length of at least 133% of its relaxed length and will recover at least 50% of its elongation upon release of said force.

49. (Previously Presented) An elastic film as defined in claim 47, wherein said thermoplastic polyurethane elastomer comprises an ether-based polyurethane.

50. (Previously Presented) An elastic film as defined in claim 47, wherein said thermoplastic polyurethane elastomer comprises an ester-based polyurethane.

51. (Previously Presented) An elastic film as defined in claim 47, wherein said film layer contains said filler in an amount of at least 20% by volume.

52. (Previously Presented) An elastic film as defined in claim 47, wherein said film layer contains said filler in an amount of at least 30% by volume.

53. (Previously Presented) An elastic film as defined in claim 47, wherein said film layer has a WTVR of at least 2000g/m<sup>2</sup> - 24 hours.

54. (Previously Presented) An elastic film as defined in claim 47, wherein said filler comprises calcium carbonate, barium sulfate, or mixtures thereof.

55. (Previously Presented) An elastic film as defined in claim 47, wherein said film layer has a basis weight of less than about 100 gsm.

56. (Previously Presented) An elastic film as defined in claim 47, wherein the thermoplastic polyurethane elastomer undergoes phase separation for at least 1 hour after having been stretched.

57. (Previously Presented) An elastic film as defined in claim 47, wherein the thermoplastic polyurethane elastomer undergoes phase separation for at least 24 hours after having been stretched.

58. (Previously Presented) An elastic film as defined in claim 1, wherein the microporous film layer further contains a stabilizer.

59. (New) An elastic film as defined in claim 14, wherein the elastic film further contains a stabilizer.